

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND**

)	
Manuel L.)	
v.)	
Andrew M. Saul, Commissioner Social)	C.A. No. 18-00451-MSM
Security Administration)	
)	

ORDER

Before the Court are a Motion to Reverse without or, Alternatively with, a Remand for Rehearing, filed by Plaintiff Manuel L. ("Plaintiff") (ECF No. 14); a Motion to Affirm, filed by Defendant Commissioner of the Social Security Administration ("SSA"), Andrew M. Saul ("Defendant") (ECF No. 16); Magistrate Judge Lincoln D. Almond's Report and Recommendation ("R&R") (ECF No. 19), which was filed on October 24, 2019, and recommends that the Court deny Plaintiff's Motion to Reverse and grant Defendant's Motion to Affirm. The R&R recommends that Final Judgment enter in favor of Defendant, upholding the decision of the Commissioner.

Magistrate Judge Almond concluded that the record contained substantial evidence to support the Commissioner's decision and finding that the Plaintiff was not disabled within the meaning of the Social Security Act. 42 U.S.C. §405(g). In reaching this decision the Magistrate Judge found reasonable the determination of the presiding SSA's Administrative Law Judge ("ALJ") to give less probative weight to one doctor's opinion which she found was "inconsistent with other record evidence." (R&R, p. 13).

He further concluded that the ALJ did not err in her conclusion that the plaintiff could perform his past relevant work.

This Court has reviewed the Report and Recommendation as well as the record in this case¹ and agrees with the Magistrate Judge's assessment of this case and the ALJ's conclusions. Accordingly, the Court hereby ACCEPTS the R&R (ECF No. 19), DENIES Plaintiff's Motion to Remand (ECF No. 14), and GRANTS Defendant's Motion to Affirm (ECF No. 16). Final Judgment will enter forthwith in favor of Defendant.

IT IS SO ORDERED.

A handwritten signature in cursive script, reading "Mary S. McElroy", followed by a long horizontal flourish line extending to the right.

Mary S. McElroy

December 30, 2019

¹ No objections have been filed to the Report and Recommendation in this case.